

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

KRISS et al.

*Plaintiffs*

vs.

BAYROCK GROUP LLC et al.

*Defendants*

13-CV-3905 (LGS)

**REQUEST FOR JUDICIAL NOTICE**

Pursuant to Rule 201 of the Federal Rules of Evidence and the authority cited below, Plaintiffs ask the court to take judicial notice of that document attached as Exhibit 1.

Courts may take notice of facts or documents, including their own records and records in other courts, outside of pleadings or other judicial documents where such facts or documents are capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. Fed. R. Evid. 201, *St. Louis Baptist Temple, Inc. v. FDIC*, 605 F.2d 1169 (10<sup>th</sup> Cir. 1979).

Exhibit 1 is a true and correct copy of a letter filed on March 17, 2011 by the United States in *U.S. v. Sater*, 98-CR-1101 EDNY (Glasser, J.), ECF 100, publicly available for PACER download as redacted, and so is a public record not subject to reasonable dispute, capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. FRE 201(b)(2).

Plaintiffs ask this court to take judicial notice of Exhibit 1, both as to its provenance and as to its content, in support of their objection to Defendant Sater's attempt to have the document submitted here entirely under seal on the patently false representation that it is entirely sealed on 98-CR-1101.

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Dated: August 19, 2013

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